In the High Court of Punjab and Haryana at Chandigarh

C.R. No. 4701 of 2006
Date of Decision: 7.9.2006

M/s Rajender Kumar Dalip Kumar Jain **---Petitioner**

Vs.

Subhash Chander **---Respondent**

Coram: Hon'ble Mr. Justice Vinod K. Sharma

Present: Mr.Sanjiv Gupta, Advocate,
for the petitioner.

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Vinod K. Sharma, J,(Oral)

The present revision petition has been filed against the order passed by the Addl. Civil Judge (Sr. Division), Sirsa, on 11.8.2006, vide which the application moved by respondent for taking specimen handwriting of Inderjeet Singh, who was being examined as witness of plaintiff was allowed.

The only contention of the learned counsel for the petitioner is that once the evidence of the plaintiff was being led, the defendant could not be allowed to produce handwriting expert as an opportunity can only be availed when the defendants are leading their evidence. I do not find merit in this contention as the plaintiff's evidence is being examined and the documents are to be proved which are alleged to be in the handwriting of Inderjeet Singh and this is the only stage where the handwriting expert

would be required to see whether the witness has rightly denied the signatures. Thus, the learned trial court has rightly allowed the application for taking specimen signatures of Inderjeet Singh for camparison with the disputed document. There is no error in the findings recorded by the learned lower court which may call for interference by this Court.

The revision is dismissed.

(Vinod K. Sharma)
JUDGE

September 7, 2006
paramjit